

**WARRICK COUNTY COUNCIL**  
**RESOLUTION NO. 2008 - 2**

**A RESOLUTION APPROVING THE EXPENDITURE OF  
CUMULATIVE CAPITAL DEVELOPMENT FUNDS**

WHEREAS, the Department of Storm Water Management was created through Ordinance No. 2006-12 of the Warrick County of Board of Commissioners to provide for and implement the requirements of the Indiana Municipal Separate Storm System (MS4) – NPDES Permitting Program 327 I.A.C. 15-13 (MS4 Requirements) in Warrick County, Indiana; and

WHEREAS, the MS4 Requirements have been forced upon local governmental units by State and Federal Government, and Warrick County, Indiana is required to implement certain measures relating to the MS4 Requirements; and

WHEREAS, the Department of Storm Water Management's budget is funded through storm water utility rates as established by the Department of Storm Water Management; and

WHEREAS, the rates implemented by the Department of Storm Water Management will not be charged to, and due from, County property owners until approximately May 12, 2008, and the Department will not receive revenue until at least June of 2008; and

WHEREAS, the Department of Storm Water Management will incur fees, costs and expenses from January 1, 2008 to June 30, 2008 in the nature of employee salaries, payment of Department programs, professional and other contractual expenses, among other fees, expenses and costs, due to the requirements to comply with the MS4 Requirements; and

WHEREAS, the Board of Commissioners of Warrick County declared an emergency exists due to the necessity of providing startup costs for the Department of Storm Water Management of Warrick County, Indiana and due to the lack of current funding necessary to operate the Department of Storm Water Management which situation will persist until at least June of 2008 and the Board of Commissioners in Resolution No. 2007-11 approved the expenditure of \$477,775.00 of accumulated funds from the Cumulative Capital Development Fund for the purpose of funding the Department of Storm Water Management for the period of January 1, 2008 to June 30, 2008; and

WHEREAS, the Warrick County Council in Resolution No. 2007-06 declared an emergency existed in the funding for operation of the Department of Storm Water Management of Warrick County, Indiana and pursuant to I.C. § 36-1-8-4 approved the transfer of the sum of \$75,867.38 from the Cumulative Drain Fund No. 128 for the repayment of claims incurred by the Department of Storm Water Management in 2007 and further approved the extension for the repayment of those funds by the Department of Storm Water Management through no later than June 30, 2008.

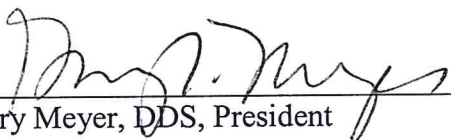
NOW, THEREFORE, IT IS RESOLVED AS FOLLOWS:

The Warrick County Council, the fiscal body of Warrick County approves the expenditure by the Board of Commissioners of Warrick County upon a declaration of an emergency of \$477,775.00 of accumulated funds from the Cumulative Capital Development Fund to the Department of Storm Water Management for the period of January 1, 2008 to June 30, 2008 all as identified in Warrick County Commissioners Resolution No. 2007-11.

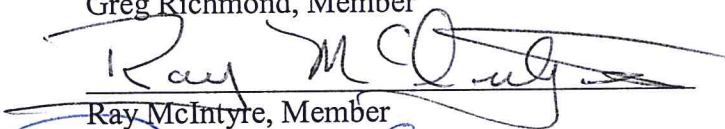
This Resolution shall be in full force and effect from and after its passage and execution by the Warrick County Council.

RESOLVED this 14<sup>th</sup> day of February, 2008.


**COUNTY COUNCIL OF WARRICK COUNTY,  
INDIANA**


  
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Gary Meyer, DDS, President

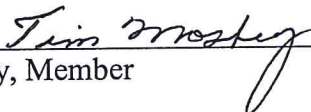
  
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Greg Richmond, Member

  
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Ray McIntyre, Member

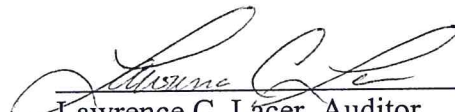
  
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Bob Addington, Member

  
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Gerald Bass, Member

  
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David P. Hachmeister, Member

  
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Tim Mosbey, Member

**ATTEST:**

  
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Lawrence C. Lacer, Auditor  
Warrick County, Indiana